

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA**

VENTURIST, INC.,

Plaintiff

PAT MAUNEY,

Defendant.

Case No. 2:06cv00494 SRW

**DECLARATION OF JENNIFER D. BARRERA IN SUPPORT OF  
OPPOSITION TO MOTION TO REMAND**

1. I, Jennifer D. Barrera, declare as follows,
2. I have personal knowledge of the following and if called on to testify thereto under oath, I could and would do so truthfully.
3. On April 13, 2006, I sent John Warden, the CEO of Plaintiff Venturist, Inc., a letter that outlined the various unpaid commissions, unpaid overtime wages, and statutory penalties that Plaintiff owed Ms. Mauney. I also explained that Plaintiff misclassified Mauney as an independent contractor and that she was not an exempt employee. As a result of these various labor violations, Plaintiff owed Mauney over \$200,000 in unpaid wages and penalties. A true and correct copy of this letter is attached hereto as Exhibit "1."
4. Mr. Warden never directly responded to the letter. Instead, he filed this declaratory relief action approximately two weeks after I sent the letter.

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I declare under penalty of perjury under the laws of the States of California and Alabama, and the United States that the foregoing is true and correct. Executed in Sacramento, California, the \_\_\_\_\_ day of July, 2006.

/S/ - Jennifer D. Barrera  
Jennifer D. Barrera  
CA Bar No. 219617  
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**CERTIFICATE OF SERVICE**

I hereby certify that on July 31, 2006, I electronically filed the foregoing with the Clerk of the Court, using the CM/ECF system which will send notification of such filing to the following registered:

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Respectfully submitted,

/S/ - Jennifer D. Barrera  
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